

II. REMARKS

Formal Matters

Claims 32-37 are pending after entry of the amendments set forth herein.

Claims 32-37 were examined and were rejected. The Office Action stated that claims 1-12 and 15-31 were withdrawn from consideration.

Claims 1-9, 11, 12, 14, 22, 23, and 25-31 are canceled without prejudice to renewal, without intent to acquiesce to any rejection, and without intent to surrender any subject matter encompassed by the canceled claims. Applicants expressly reserve the right to pursue any canceled subject matter in one or more continuation and/or divisional applications.

Applicants respectfully request reconsideration of the application in view of the remarks made herein.

Election/restriction

The Office Action stated that newly submitted claims 30 and 31 and amended claims 1-5, 11, and 12 are directed to a species invention that is independent or distinct from the invention originally claimed. The Office Action stated that claims 1-5, 11, 12, 30, and 31 are withdrawn from consideration.

Obviousness-type double patenting

Claims 32-37 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1, 5, 7, 14, 30, and 34 of U.S. Patent No. 6,225,292.

Applicants enclose herewith a terminal disclaimer, disclaiming patent term beyond the expiration date of U.S. Patent No. 6,225,292. Thus, this rejection of claims 32-37 may be withdrawn.

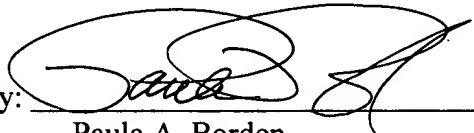
III. CONCLUSION

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number UCAL-173 CON.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: May 27, 2005

By: 
Paula A. Borden
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, CA 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231